

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tod R. SMEAL et al. **Filed via EFS-Web**
Title: PHOSPHOSPECIFIC PAK ANTIBODIES AND **July 8, 2008**
DIAGNOSTIC KITS
Appl. No.: 10/716,936
Filing Date: 11/20/2003
Examiner: Sean E. AEDER
Art Unit: 1642
Confirmation Number: 6791

RCE TRANSMITTAL UNDER 37 CFR 1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

Enclosed are:

- ☒ [X] Amendment/Reply ("RCE Submission")
- ☒ [X] Affidavit(s)/Declaration(s).
- ☐ [] Information Disclosure Statement.
- ☐ [] Other.

The filing fee is calculated below:

| | Claims as Amended | Previously Paid For | Extra Claims Present | Rate | Fee Totals |
|-------------------|-------------------|---------------------|----------------------|------------|------------|
| RCE Fee 1.17(e): | | | | \$810.00 | = \$810.00 |
| Total Claims: | 20 | - 62 | = 0 | x \$50.00 | = \$0.00 |
| Independents | 1 | - 11 | = 0 | x \$210.00 | = \$0.00 |
| | | | | | = |
| CLAIMS FEE TOTAL: | | | | | = \$810.00 |

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | |
|--|------------|------------|
| <input type="checkbox"/> Extension for response filed within the first month: | \$120.00 | \$0.00 |
| <input type="checkbox"/> Extension for response filed within the second month: | \$460.00 | \$0.00 |
| <input checked="" type="checkbox"/> Extension for response filed within the third month: | \$1,050.00 | \$1,050.00 |
| <input type="checkbox"/> Extension for response filed within the fourth month: | \$1,640.00 | \$0.00 |
| <input type="checkbox"/> Extension for response filed within the fifth month: | \$2,230.00 | \$0.00 |
| EXTENSION FEE SUBTOTAL: | | \$1,050.00 |
| EXTENSION FEE ALREADY PAID: - | | \$0.00 |
| EXTENSION FEE TOTAL | | \$1,050.00 |
| CLAIMS AND EXTENSION FEE TOTAL: | | \$1,860.00 |
| <input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above): | | \$0.00 |
| <input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c) | | \$0.00 |
| TOTAL FEE: | | \$1,860.00 |

A credit card payment form in the amount of \$1,860.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date July 8, 2008

FOLEY & LARDNER LLP
Customer Number: 22428
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By V.S. Mohan-Ram

Vid Mohan-Ram, Reg. No. 55,459
Michele M. Simkin, Reg. No. 34,717